

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:99-00100

ROBERT LOUIS WILLIAMS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On June 14, 2010, the United States of America appeared by Steven R. Ruby, Assistant United States Attorney, and the defendant, Robert Louis Williams, appeared in person and by his counsel, Edward H. Weis, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Douglas W. Smith, the defendant having commenced a fifty-eight and one half month term of supervised release in this action on March 19, 2010, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on March 4, 2010.

The court heard the admissions of the defendant, the evidence and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) that the defendant failed to abide by the special condition that he spend six months in a community confinement center inasmuch as he was discharged from the Dismas Charities program on April 15, 2010, for acting in a threatening manner toward a staff member, as set forth in the court's findings on the record of the hearing herein; (2) that the defendant used marijuana and used Percocet without a prescription on May 11, 2010, as evidenced by his admission to the probation officer on May 12, 2010; and (3) that the defendant failed to attend counseling sessions on April 20 and 22, 2010; all as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously

imposed upon the defendant in this action be, and it hereby is, revoked.

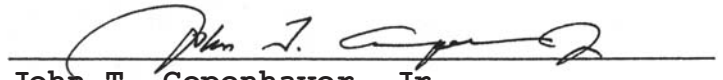
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, on the basis of the original offense, the intervening conduct of the defendant and after considering the factors set forth in 18 U.S.C. § 3553(a), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHTEEN (18) MONTHS, to be followed by a term of forty and one half months of supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further condition that the defendant not commit another federal, state or local crime and the special conditions that he participate in drug abuse counseling and treatment and mental health treatment as directed by the probation officer.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant be designated to an institution where he can be afforded the benefit of a psychological study.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: June 28, 2010


John T. Copenhaver, Jr.
United States District Judge